

COUNCIL PRIORITY 6-1

**PROTECT AND PRESERVE CANYONS AND
OPEN SPACE THROUGHOUT DISTRICT 6 BY
REVISING GRADING ORDINANCES AND
IMPLEMENT CITY WIDE CANYON SEWER
MAINTENANCE TASK FORCE
RECOMMENDATIONS**

Council District 6 - Priority Project 1

Legend

- Freeways
- Roads
- River
- Water
- Parks

Council Districts

- 6
- Item 1 - Protect and preserve canyon and open space throughout District 6 by revising grading ordinance, enforcing existing ordinance and implement City Wide Canyon Sewer Maintenance Task Force recommendation.



Vicinity Map



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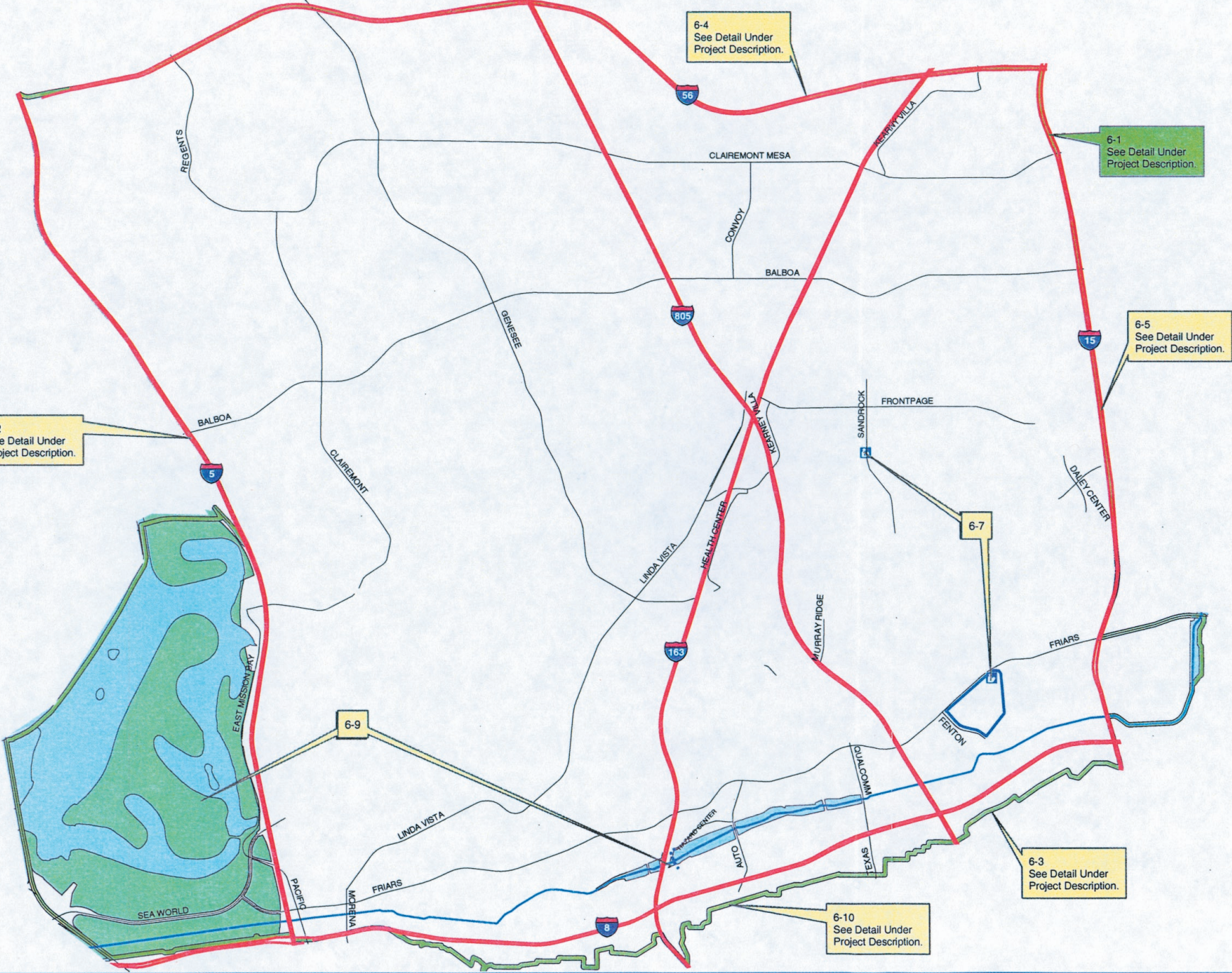
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Plot Date: 11-1-01

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UPDATE: MARCH 20,2003

COUNCIL DISTRICT 6
PRIORITY 6-1a

PROJECT:

Project Name: Sewer System Canyon Access

Project Description: The goal of the project was to produce Access Assessment Reports to assess the access for the sewer facilities (approximately 35 miles of sewer main) located in 18 canyons and determine the best alternative that would make these sewers accessible to City sewer maintenance crews and equipment so that effective maintenance and inspection services can be provided. Access shall be pursued in accordance with the requirements outlined in the new approved council policies titled: 400-13, Management of Sewer Facilities Located in Canyons and other Environmentally Sensitive Lands Policy and the 400-14, Redirection of Sewage Discharge away from Canyons and other Environmentally Sensitive Lands Policy.

CIP #: 459360

Cross Reference: N/A

Mayor's Goal: #4 Clean Up Our Beaches and Bays (Helping to Prevent Sewer Spills)

LEAD AND SUPPORTING DEPARTMENTS:

Department Name:

Engineering & Capital Projects

Director:

Frank Belock

Key Contact for more information:

James Nagelvoort (533-5149)/

Shadi Sami (533-7412)

Supporting Departments:

Metropolitan Wastewater

ACTION PLAN:

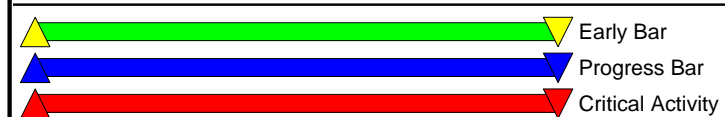
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|----|--------------------------------------------------------|--------------|
| 1. | Is the project adequately defined? | Yes |
| 2. | Is policy direction needed? | No |
| 3. | What will it cost? | \$26,500,000 |
| 4. | Is it funded (Capital and Maintenance and Operations)? | Yes |
| 5. | What is the source? | Sewer Funds |
| 6. | Has it been designed? | No |
| 7. | Has the community been involved? | Yes |
| 8. | Is it permitted? | No |
| 9. | Is it under construction? | No |

TIME LINE: (All tasks assigned to the Engineering & Capital Projects Department to date are completed on this project)

- Assisted MWWD in purchasing CPV's (Canyon Proficient Vehicles)

- Provided data to help facilitate MWWD Programmatic EIR
- Provided biology data to help facilitate permitting for cleaning project
- Have 18 Access Assessment Reports completed for the 18 canyons.

COMPLETE

[illegible]

Sewer System Canyon Access

6-1a



Start Date	01MAY02
Finish Date	03SEP03
Data Date	01MAR03

COUNCIL DISTRICT 6
PRIORITY 6-1b

Updated: March 18, 2004

PROJECT:

Project Name: Protect and Preserve Canyons & Open Space

Project Description: Develop a program to protect and preserve canyons and open space. The following departments are participating in an coordinated effort to improve controls and enforcement of grading: the Neighborhood Code Compliance Department (NCCD), the Park and Recreation Department, Office of the City Attorney, Development Services Department (DSD), and Engineering and Capital Projects. Currently, a three-pronged approach for grading controls is being implemented including: improved enforcement options, improved coordination among departments, and educational outreach.

The enforcement actions consist of the following:

1. Increased Administrative Civil Penalties limit from \$100,000 to \$250,000.
2. Train Administrative Hearing Officers so they have expertise in environmental and historical regulations.
3. Added factors for determining Administrative Civil Penalties.
 - A. Nature and seriousness of violations.
 - B. Whether the violations impacted environmentally sensitive lands or historical resources.
 - C. Willfulness of violator's conduct.
4. Recovery of costs for inspection and monitoring services.
5. Prohibition of future development permits until conclusion of enforcement action.
6. Extend enforcement to contractors, subcontractors, and equipment operators.
 - A. Project plans and permits shall be maintained at the work site for review by City officials.
 - B. Immediately report violating contractors to the State Contractors Licensing Board.
7. Implemented "after hours" reporting system.
8. Created a Grading Violation Assessment Team (G-VAT). This team consists of a Land Development Investigator, Biologist, Civil Engineer, and Deputy City Attorney.

NCCD and DSD have developed an educational outreach program including:

1. Informational brochure and video.
2. Addition of grading information on the City's web site.
3. Articles in community newspapers and the Union Tribune on grading and development in sensitive areas.

COUNCIL DISTRICT 6
PRIORITY 6-1b

Updated: March 18, 2004

4. Outreach to equipment rental companies, home improvement stores, engineering firms, surrounding cities, and to agencies that routinely perform grading activity in San Diego (e.g., CalTrans, County Water Authority, etc.).

CIP #: N/A

Cross Reference:

Mayor's Goal: # 3, Create Neighborhoods We Can be Proud Of.

CURRENT LEAD AND SUPPORTING DEPARTMENTS:

Department: Neighborhood Code Compliance

Director: Marcia Samuels

Key Contact for more information: Sheri Carr 533-6144

Diane Silva-Martinez 533-5690

Mo Sammak 446-5292

Supporting Departments: Development Services, City Attorney

ACTION PLAN:

1. Is the project adequately defined? Yes.
2. Is policy direction needed? No. Council heard and approved Municipal Code amendments on April 28, 2003 to accomplish the elements of the program described above.
3. What will it cost? The G-VAT staffing is currently being absorbed by the Neighborhood Code Compliance Department by the displacement of lower priority cases. Currently 1.0 full-time Land Development Investigator in the Neighborhood Code Compliance Department is assigned to the G-VAT. In FY 04, 1.0 Biologist will be added in Development Services. This position will be paid for by double permit fees for violators that graded without the required permits. Increasing workloads may require additional funding to cover the costs of a Land Development Investigator, Associate Engineer, Associate Planner or Deputy City Attorney.
4. Is it funded (Capital and Maintenance and Operations)? No.
5. What is the source? Currently, existing budgets of NCCD and the Office of the City Attorney as well as double fees charged for work done without the required permits by the Development Services Department are funding sources.
6. Has it been designed? The elements of the program have been outlined as indicated above.
7. Has the community been involved? Yes.
8. Is it permitted? N/A.
9. Is it under construction? N/A.

TIME LINE:

Milestones:

Staff has been assigned to the Grading Violation Assessment Team (G-VAT) and it is operational.

Completed

As a matter of routine, staff has implemented the following procedures:

Completed

COUNCIL DISTRICT 6

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- Assessing double permit fees for illegal grading violations.
- Prohibiting permit processing until enforcement actions have concluded.
- Utilizing aggressive enforcement actions, both administratively and judicially.
- Conducting pre-construction conferences.
- Ensuring cost recovery against violators for field inspection and monitoring.

A Manager's Report with recommendations for Municipal Code revisions was heard and approved by the City Council on April 28, 2003. This report included: Completed

-An increase of the limit of administrative civil penalties from \$100,000 to \$250,000.

- Code amendments that will allow staff to consider additional factors in calculating appropriate fines.

- An Administrative Penalty Schedule for Violations Regarding Environmentally Sensitive Lands, Historical Resources and Paleontological Resources.

Staff is currently developing the curriculum to train the Administrative Hearing Officers on environmental and historical regulations. Completed

Staff developed draft language for revisions to the Land Development Code and distributed the draft to the Community Planners Committee and other interested stakeholders. Completed

An after-hours reporting system has been implemented. Completed

An educational outreach brochure has been developed with input from the Sierra Club. Completed

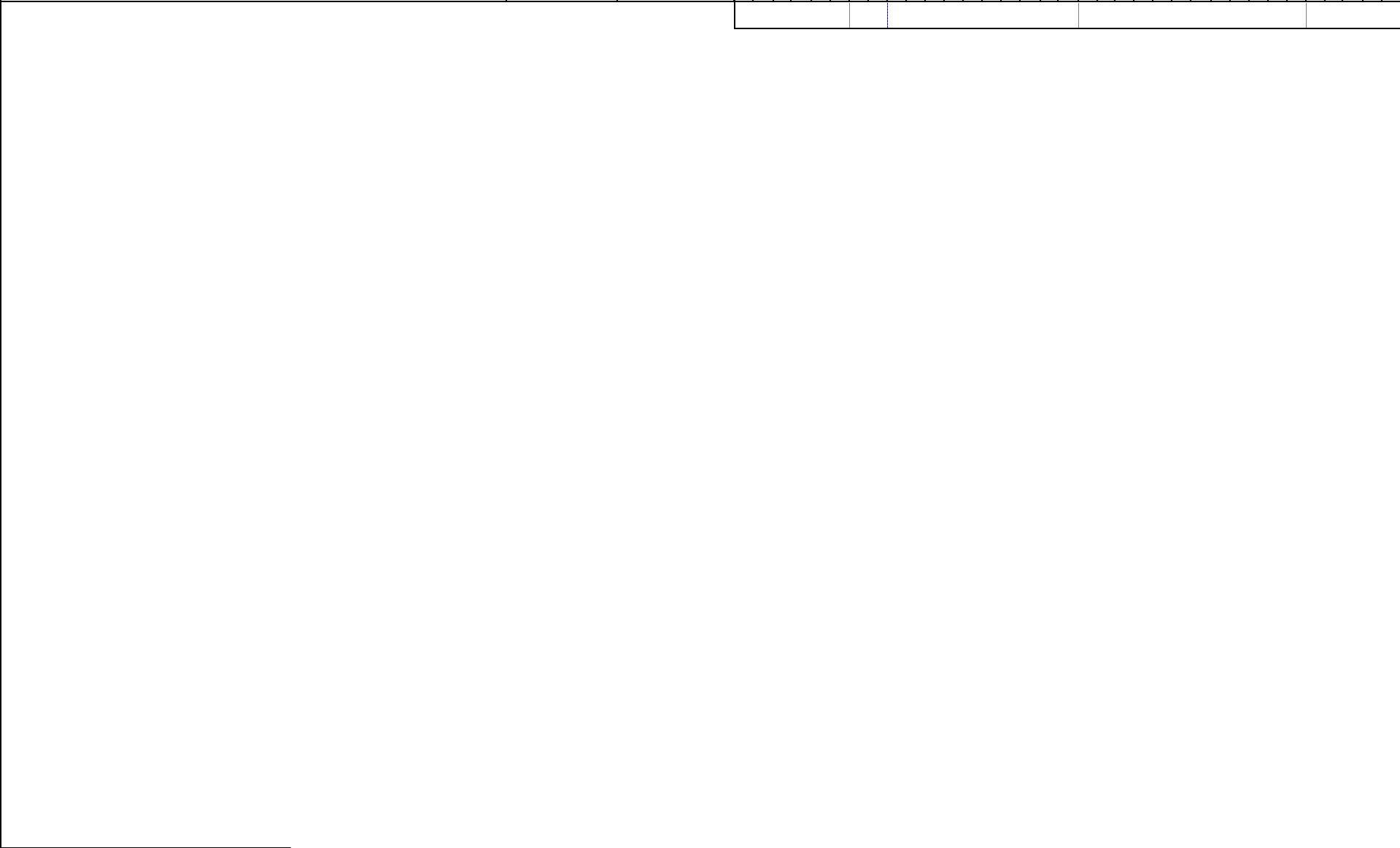
The NCCD web page regarding grading is completed. Completed

An educational video has been developed and has been distributed on a limited basis to the Sierra Club, California Native Plant Society, State Contractor's Board, with a wider distribution to follow. Completed

Staff has successfully closed 176 cases as of December 1, 2003. Ongoing

Training on regulations related to environmentally sensitive wetlands was presented to NCCD field staff on November 4, 2003 and selected Development Services Department staff on September 29, 2003. Completed

Activity Description	Early Start	Early Finish	03	2004												2005												2006				
			J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M							



 Early Bar
  Progress Bar
  Critical Activity

Protect & Preserve Canyons & Open Space - COMPLETE
 CIP No. 6-1b



Start Date 01-May-02
 Finish Date 22-Jan-04
 Date Date 01-Mar-04

COUNCIL DISTRICT 6
PRIORITY 6-1c

Updated: March 18, 2004

PROJECT:

Project Name: Implement City Wide Canyon Sewer

Project Description: Implement City Wide Canyon Sewer-Task Force Recommendation.

CIP #:

Cross Reference:

Mayor's Goal: # 3, Create Neighborhoods We Can be Proud Of.

CURRENT LEAD AND SUPPORTING DEPARTMENTS:

Department: Park & Recreation

Director: Ellen Oppenheim

Key Contact for more information: Ann Hix 851360

Supporting Departments: Environmental Services, Metropolitan Wastewater

ACTION PLAN:

1. Is the project adequately defined? Yes, Park staff is working closely with Metro Wastewater and Water Departments related to sewer cleaning and maintenance access way project.
2. Is policy direction needed? No
3. What will it cost? \$0
4. Is it funded (Capital and Maintenance and Operations)? No
5. What is the source?
6. Has it been designed? Yes
7. Has the community been involved? Yes
8. Is it permitted? N/A
9. Is it under construction? N/A

TIME LINE:

Milestones:

Present Open Space Organization to Natural resources and Culture Committee (NR&C)	2/02
Council approve Open Space Organization, which identified a Senior Planner Position	5/02
Implement recommendations fo Canyon Sewer Task Force	7/02
Senior Planner position filled	3/03
Manager's Report presented at NR&C on progress toward implementing Canyon Sewer Task Force recommendations and NR&C direction, including appointments of citizen and agency members to Canyon Management Committee prepared and submitted for NR&C docet in April 2003	4/03
Letters sent to Community Planning Groups, Agencies and City Departments requesting participation on the Open space Canyons Advisory Committee. Final membership list will be brought back to NR&C for approval	6/03

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Updated: March 18, 2004

PRIORITY 6-1c

NR&C approved the recommended membership for the 20-member Open space Canyons Advisory Committee within the following structure as approved at the April 30, 2003 NR&C meeting: 1 representative from each of the following: California Department of Fish and Game; Regional Water Quality control Board; SDG&E; Environmental Organizations; Recreational Organizations; Disabled Community; and Building Industry. 2 representatives from the following: Community Planning Groups and Members-at-Large. 8 senior-level department representatives (with field staff as needed) from Park & Recreation; Engineering & Capital Projects; Metro Wastewater; Water, Transportation-Streets, General Services-Storm Water; Planning-MSCP and Development Services-EAS. The first Open Space Canyons Advisory Committee meeting took place September 11, 2003 7/03

The Open Space Canyons Advisory Committee has been meeting monthly (second Thursday of the month) to discuss issues relating to Metropolitan Wastewater activities in Open space canyons and other relevant topics. 12/03

The Open Space Canyons Advisory Committee (OSCAC) continues to meet monthly. A recent field trip to Chocolate Canyon in District 3 gave OSCAC members an opportunity to see and discuss issues relating to MWWD canyon projects. Topics included: use of specialized equipment for cleaning operations, erosion control requirements, revegetation/mitigation projects, sewer main replacement projects, and community notification procedures. An Ad Hoc Subcommittee was also formed to further discuss MWWD restoration/mitigation related issues. March 04